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BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

MAR 30 2001

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

DOCKETED BY

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IN THE MATTER OF THE APPLICATION
OF QWEST CORPORATION F/K/A U S WEST
COMMUNICATIONS, INC., FOR APPROVAL
OF THE THIRD AMENDMENT TO THE
WIRELINE INTERCONNECTION
AGREEMENT WITH NEW EDGE NETWORK,
INC. D/B/A NEW EDGE NETWORKS

DOCKET NOS. T-01051B-01-0017
T-03788A-01-0017

DECISION NO. 63507

ORDER

Open Meeting
March 27 and 28, 2001
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On January 5, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST Communications, Inc., filed an application for approval of the Third Amendment to the Interconnection Agreement between Qwest and New Edge Network, Inc. ("New Edge"), d/b/a New Edge Networks. The original Interconnection Agreement was approved by the Commission on December 14, 1999, in Decision No. 62136.

2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This Third Amendment to the Interconnection Agreement between Qwest and New Edge was voluntarily negotiated, without resort to arbitration.

4. Under the terms of this Third Amendment, terms, conditions and rates for IDSL and Capable Loops are added as set forth in this Amendment.

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1 5. According to the 1996 Act, the Commission must approve voluntarily negotiated
2 interconnection and resale agreements, if their provisions are non-discriminatory and in the public
3 interest.

4 6. Staff has reviewed the Third Amendment and finds it to be non-discriminatory and
5 in the public interest. Qwest is offering the same terms and conditions of the Agreement to all
6 other interested parties. The Agreement is in the public interest because it will act to further
7 competition in the local exchange market in Arizona.

8 7. Since there are no grounds for rejection of the Third Amendment pursuant to
9 Section 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the
10 Third Amendment to the Interconnection Agreement between Qwest and New Edge.

11 CONCLUSIONS OF LAW

12 1. Qwest is an Arizona public service corporation within the meaning of Article XV,
13 Section 2, of the Arizona Constitution.

14 2. The Commission has jurisdiction over New Edge and over the subject matter of the
15 Application.

16 3. The Commission, having reviewed the Application and Staff's Memorandum has
17 determined that the Third Amendment to the Interconnection Agreement negotiated between
18 Qwest and New Edge meets the requirements of Section 252(e)(2)(A) of the 1996 Act which
19 governs the approval of voluntarily-negotiated agreements and is in the public interest.

20 4. The Commission maintains jurisdiction over the subject matter of the Agreement
21 and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission
22 by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules
23 promulgated thereunder.

24 ORDER

25 THEREFORE, IT IS ORDERED that the Commission hereby approves the Third
26 Amendment to the Interconnection Agreement between Qwest and New Edge filed on January 5,
27 2001.

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1 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

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3 **BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

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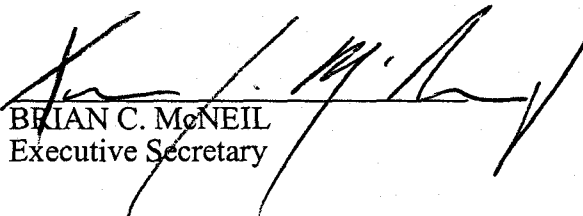
5 CHAIRMAN



COMMISSIONER

COMMISSIONER

6 IN WITNESS WHEREOF, I, BRIAN C. McNEIL,
7 Executive Secretary of the Arizona Corporation
8 Commission, have hereunto, set my hand and caused the
9 official seal of this Commission to be affixed at the Capitol,
10 in the City of Phoenix, this 30th day of March, 2001.

11 
12 BRIAN C. McNEIL
13 Executive Secretary

14 DISSENT: _____

15 DRS:EAA:lhbm

16 SERVICE LIST FOR: Qwest Corporation and New Edge Networks, Inc.
17 DOCKET NOS. T-01051B-00-0017 and T-03788A-01-0017

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